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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/929,199

08/15/2001

Kenji Omiya

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26021 7590 01/12/2007
HOGAN & HARTSON L.L.P.
1999 AVENUE OF THE STARS
SUITE 1400
LOS ANGELES, CA 90067

EXAMINER

GOTTSCHALK, MARTIN A

ART UNIT

PAPER NUMBER

3694

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

01/12/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/929,199

Applicant(s)

OMIYA, KENJI

Examiner

Martin A. Gottschalk

Art Unit

3694

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This Office Action is in response to the application filed 08/15/2001. Claims 1-20 are pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Conlow (US PG Pub# 2002/0069167).

- A. As per claim 1. Conlow discloses a method for supplying information to users about each stage of a multi-stage project before dispensing funds comprising the steps of:

inputting a set of terms for dispensing funds for each stage of a multi-stage project (Conlow: [0059]; [0086]; [0089], reads on "project agreements");

recording data related to the terms for dispensing funds (Conlow: [0079];

and

dispensing funds after the completion of each stage of the multi-stage project
(Conlow: [0060];

wherein completion of each stage is dependent upon viewing and approving
each stage of the multi-stage project (Conlow: [0051]; [0081]; [0090], reads on
"confirm the progress of the task").

B. Conlow further teaches the features of the following claims:

Claim 2. The method according to claim 1, wherein the step of inputting the set of
terms for dispensing funds comprises the step of entering a completion date for
each of the stages of the multi-stage project (Conlow: [0081]).

Claim 3. The method according to claim 1 further comprising the step of
assigning a number to the multi-stage project (Conlow: [0086]).

Claim 4. The method according to claim 1 further comprising the step of entering
a user ID and password (Conlow: [0086]).

Claim 5. The method according to claim 3, wherein the step of recording data comprises the step of listing the multi-stage project number and a manager responsible for the multi-stage project (Conlow: [0086]).

Claim 6. The method according to claim 1 further comprising the steps of: generating a chart listing multi-stage project data; distributing the chart over a communication network; assigning an identification and password for approved persons related to the multi-stage project; generating a timeline image relating to the multi-stage project; and allowing the approved persons access to the timeline (Conlow: Fig 10, items 1045 to 1092; [0086]).

Claim 7. The method according to claim 6 further comprising: generating a task box related to the multi-stage project with icons for starting, ending and confirming a task; and designating which of the approved persons is responsible for starting, ending and confirming the task (Conlow: [0086]).

Claim 8. The method according to claim 7 further comprising the step of sending a message to any approved person that is designated to be notified of the starting, ending or confirming of the task (Conlow: Fig 10).

Claim 9. The method according to claim 7 further comprising the step of allowing the approved user to access images of the multi-stage project by accessing an

imaging device located near a construction site of the multi-stage project
(Conlow: [0079]).

Claim 10. The method according to claim 1 further comprising the step of storing
the data in memory (Conlow: [0079]; Fig 143).

C. Claims 11-20 are system and software claims to perform the methods of claims
1-10 and are rejected for substantially the same reasons provided for claims 1-10.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to
applicant's disclosure. The cited but not applied prior art teach for providing payment at
stages of a progress including escrow or escrow-like features.


5. Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Martin A. Gottschalk whose telephone number is (571)
272-7030. The examiner can normally be reached on Mon - Fri 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, James P. Trammell can be reached on (571) 272-6712. The fax phone
number for the organization where this application or proceeding is assigned is 571-
273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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01/06/07


ELLA COLBERT
PRIMARY EXAMINER